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Barristers & Solicitors

6th Floor, 330 University Avenue
 Toronto, Ontario, Canada M5G 1R7

Tel. (416) 595-1155 • Fax (416) 595-1163

Sim & McBurney
Patent & Trade Mark Agents

RECEIVED
CENTRAL FAX CENTER

MAY 22 2007

DATE: May 22, 2007

Application No: 10/524,873

Our Ref: 2127-53 MIS:jb

TO:	FAX #	PHONE #
US Patent and Trademarks Office <u>Mail Stop Petition</u>	(571) 273-8300	

Total Number of Pages (Including This Page): 40

FROM: Michael I. Stewart / 416-849-8400

COMMENTS:

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416595 7306

T-868 P.002 F-092

MAY 22 2007

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 39

Application Number 10/624,873

Filing Date

First Named Inventor Leonid Beitelman

Art Unit

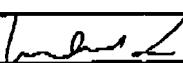
Examiner Name

Attorney Docket Number 2127-53 MIS:jb

ENCLOSURES (Check all that apply)

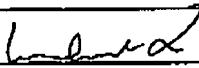
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Declaration and Power of Attorney
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD. Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Sim & McBurney		
Signature			
Printed name	Michael I. Stewart		
Date	May 22, 2007	Reg. No.	24,973

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Michael I. Stewart	Date	May 22, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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416595 7306

T-868 P.003/040 F-092

MAY 22 2007

PTO/SB/17 (05-07)

Approved for use through 05/31/2007, OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).
FEE TRANSMITTAL
For FY 2007 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

130.00

Complete if Known

Application Number	10/524,873
Filing Date	
First Named Inventor	Leonid Beitelman
Examiner Name	
Art Unit	
Attorney Docket No.	2127-53 MIS:jb

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 192253 Deposit Account Name: Sim & McBurney

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee (\$)

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee Paid (\$)

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

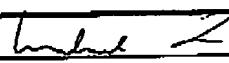
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	Fee Paid (\$)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late Filing Surcharge fee (130.00)

130.00

SUBMITTED BY		Registration No. (Attorney/Agent) 24,973	Telephone 416-849-8400
Signature			Date May 22, 2007
Name (Print/Type) Michael I. Stewart			

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/324873 10/324873

05/23/2007 NSJ/EMAI 00000027 10/324873

130.00 DA
01 FC:1051

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl'n. No. : 10/524,873
Applicant : Leonid Beitelman
Filed : February 17, 2005
Title : COOLING ELECTROMAGNETIC STIRRERS
Docket No. : 2127-53 MIS/jb
Customer No.: 24223
Date : May 22, 2007

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BY FACSIMILE **571-273-8300**

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
U.S.A.

PETITION UNDER 37 CFR 1.181 FOR WITHDRAWAL OF ABANDONMENT

Sir:

No Notice of Abandonment has been received on this application, but the undersigned understands that the application stands abandoned for failure to timely respond to a Notification of Missing Requirements dated September 15, 2005. The undersigned's understanding in this regard arises from a telephone conversation with Ms. Cynthia Kratz of the PCT Legal Office. It is understood from that conversation that the notification was correctly addressed.

The undersigned states that the Notification dated September 15, 2005 has not been received. In evidence, enclosed herewith is a copy of our records of received mails from the Canadian and US Patent Offices for a period of one month following the September 15, 2005 date, showing no indication of receipt of correspondence relating to this filing.

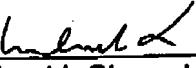
Accordingly, Petition is hereby made under the provisions of 37 CFR 1.181 to withdraw the abandonment and to restore the application to pending status. In further support of this Petition, enclosed herewith are:

Application No. 10/524,873

2

1. Declaration and Power of Attorney executed by the inventors;
and
2. Authorization to charge the Surcharge Fee to our deposit
account.

Respectfully submitted,



Michael I. Stewart
Reg. No. 24,973

Toronto, Ontario, Canada
Phone No.: (416) 849-8400
FAX No.: (416) 595-1163

Express Mail Label No.

APR 18 2005

Page 1 of 4

Docket No.
2127-53 MIS:jb

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

COOLING ELECTROMAGNETIC STIRRERS

the specification of which

(check one)

is attached hereto.

was filed on 08/19/2003 as United States Application No. or PCT International

Application Number PCT/CA2003/001209

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

10/206,182

08/20/2002

Pending

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

PCT/CA2003/001209

08/19/2003

(Status)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

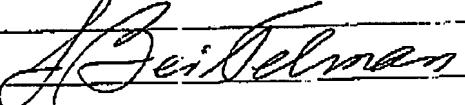
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

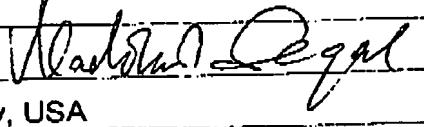
Michael I. Stewart	(Reg. No. 24,973)	John H. Woodley	(Reg. No. 27,093)
Stephen J. Perry	(Reg. No. 32,107)	Patricia A. Rae	(Reg. No. 33,570)
David A. Ruston	(Reg. No. 34,495)	Lola A. Bartoszewicz	(Reg. No. 43,394)
Geoffrey B. deKleine	(Reg. No. 50,216)	Kimberly A. McManus	(Reg. No. 54,791)
Matthew D. Powell	(Reg. No. 55,767)		

Sim & McBurney
 Send Correspondence to: 6th Floor, 330 University Avenue
 Toronto, Ontario
 Canada, M5G 1R7.

Direct Telephone Calls to: (name and telephone number)
 Michael I. Stewart (416) 595-1155

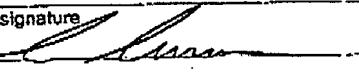
Full name of sole or first inventor		
Leonid Beitelman		
Sole or first inventor's signature		
Residence		
Thornhill, Ontario, Canada		
Citizenship		
Canadian		
Post Office Address		
10 Parklawn Crescent, Thornhill, Ontario, Canada, L3T 6X1.		

Date 04/20/05

Full name of second inventor, if any		
Vladimir Segal		
Second inventor's signature		
Residence		
Livingston, New Jersey, USA		
Citizenship		
US		
Post Office Address		
45 Brandon Avenue, Livingston, New Jersey 07039, United States of America.		

Date 05/03/05

Full name of third inventor, if any
Christopher P. Curran

Third Inventor's signature 

Date

04.20.05

Residence
Pontypool, Ontario, Canada

Citizenship
Canadian

Post Office Address
31 Hooper Drive, Pontypool, Ontario, Canada, L0A 1K0.

Full name of fourth inventor, if any

Fourth Inventor's signature

Date

Residence

Citizenship

Post Office Address

Full name of fifth inventor, if any

Fifth Inventor's signature

Date

Residence

Citizenship

Post Office Address

Full name of sixth inventor, if any

Sixth Inventor's signature

Date

Residence

Citizenship

Post Office Address

15

THURSDAY SEPTEMBER

258-107

2129 990 PARWA	2238 430415AA	7:00
2132 515 DMRWA	224500 8 DMRWA	7:30
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2243942 PAREA	2270 220415AA	8:30
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16 FRIDAY SEPTEMBER 259-106

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SATURDAY 17 SEPTEMBER

260-105

May-22-07 12:07pm From-SIMBAS LTD 416595 7306 T-868 P.012/040 E-092

18 SUNDAY SEPTEMBER 261-104

7:30 7:30 8:00 8:30 9:00 9:30 10:00 10:30 11:00 11:30 12:00 12:30 1:00 1:30 2:00 2:30 3:00 3:30 4:00 4:30 5:00 5:30 6:00 6:30 evening

MONDAY 19
SEPTEMBER

262-103

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20 **TUESDAY**
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WEDNESDAY 21
SEPTEMBER

264-101

May-22-07 12:09pm From-SIMBAS LTD

416595 7306

T-868 P.016/040 F-092

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22 THURSDAY 265-100

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FRIDAY 23
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266-99

May-22-07 12:10pm From-SIMBAS LTD

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T-868 P.018/040 F-092

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24 SATURDAY 267-98

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SUNDAY 25
SEPTEMBER 25

20097

(National Police and Peace Officers' Day (Can.)

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26 MONDAY SEPTEMBER 269-96

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28 WEDNESDAY
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THURSDAY 29
SEPTEMBER 29

272-93

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7:00
evening

Evening

30 **FRIDAY** **SEPTEMBER** **273-92**

Brownline¹

SATURDAY 1
OCTOBER

274-91

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eveningB

online®

**2 SUNDAY
OCTOBER**

275.90

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evening

Brontoline

**MONDAY 3
OCTOBER**

276.89

2411559 DARE ABS
2153602 DARE ABS

7411555 8480

21533602 DAK ABS

Brownline

4 **TUESDAY**
OCTOBER

277-88

Rech Nachman

7:00 7:30 8:00 8:30 9:00 9:30 10:00 10:30 11:00 11:30 12:00 12:30 1:00 1:30 2:00 2:30 3:00 3:30 4:00 4:30 5:00 5:30 6:00 6:30 7:00

evening

Brownline®

WEDNESDAY 5 OCTOBER

278-87

10/4/3371 MSS US

Rashi Hashanah

Brownline'

PAGE 30/40 * RCVD AT 5/22/2007 12:06:10 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/19 * DNI:2738300 * CSID:4165957306 * DURATION (mm:ss):19:20

THURSDAY
6 OCTOBER

279-85

7:00	2340430 411A00	2234716 PA00A
7:30	2197185 PARAB	2414325 CAB0A
8:00	2339790 ? A00	2363487 4150A
8:30	1356137 ? MF	2268235 PA00A
9:00	2197985 712 MF	2468006 716 A00
9:30	2410178 4150A	
10:00	2208396 370NA	
10:30	2241842 WA	
11:00	2275045 PA00A	
11:30	2269072 716 A00	
12:00	10/484721 4150S	
12:30	2436142 PA00A	
1:00	2463033 4150A	
1:30	2025713 4150A	
2:00	2432064 716 A00	
2:30	2434947 716 A00	
3:00	243513 8716 A00	
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	evening	

Browline

FRIDAY 7
OCTOBER

280.85

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23619150464

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	evening

contline

**8 SATURDAY
OCTOBER**

281-84

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7:00

evening

Brownline

SUNDAY 9
OCTOBER

282-63

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7:00
evening

Brookline

10 MONDAY OCTOBER 2007

Thanksgiving Day (Can)
Columbus Day (USA)

7:00	236
7:30	222
8:00	250
8:30	221
9:00	224
9:30	246
10:00	234
10:30	122
11:00	204
11:30	218
12:00	235
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7:00	
evening	

Brownline'

TUESDAY 11
OCTOBER

284-81

Ring Day (Cont.)
US Day (U.S.A.)

2365025	PARAWA	2339862	PARAWA	7:00
2278910	SINEMA	2354969	? ABS	7:30
2302054	PARAWA	2012843	SINEMA	8:00
2212406	PARAWA	2432552	PARAWA	8:30
2247919	PARA	2437202	PARAWA	9:00
2462725	LABWA	2455723	LABWA	9:30
2340434	MUSABA	2280248	MUSABA	10:00
1272573	MUSABA	2239006	MUSABA	10:30
2049269	LABUF	2416078	LABUF	11:00
2183278	PARAWA	2203841	PARAWA	11:30
2354963	? ABS	2314611	PARAWA	12:00
				12:30
				1:00
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				6:00
				6:30
				7:00
				evening

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12 WEDNESDAY OCTOBER 2007

7:00 2315315 M/S ABS
7:30 2230351 DTR ABS

~~2230351~~

8:00 2315315 M/S ABS
8:30 2320530 STP ABS
9:00 2341820 AIR ABS

9:30

10:00

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7:00

evening

THURSDAY 13
OCTOBER

286-79

Yam Kupur

2228 252 57909 10/27 339 61505 7:00
2265 352 David 7:30
2171 357 David 8:00
2327 476 PAROS 8:30
2315 289 PARAD 9:00
10/29/94 262 61505 9:30
10:00 10:30
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7:00
evening

Brownline

14 **FRIDAY** **OCTOBER** **20778**

7:00	2413659 DIA/0A
7:30	2144068 DIA/0A
8:00	2427053 DIA/0A
8:30	2337145 DIA/0A
9:00	2337226 DIA/0A
9:30	2241535 DIA/0A
10:00	2213035 DIA/0A
10:30	2247843 CAB/0A
11:00	2293648 DIA/0A
11:30	0368720 CAB/0A
12:00	2254939 CAB/0A
12:30	60/315230 MUS/0
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	evening

downline

SATURDAY 15
OCTOBER

28877

7:00 7:30 8:00 8:30 9:00 9:30 10:00 10:30 11:00 11:30 12:00 12:30 1:00 1:30 2:00 2:30 3:00 3:30 4:00 4:30 5:00 5:30 6:00 6:30 7:00

evening